

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER BLAKE and
JAMES ORKIS, individually and on
behalf of all others similarly situated,
Plaintiffs,**

v.

**JPMORGAN CHASE BANK, N.A.,
CHASE BANK USA, N.A.,
JPMORGAN CHASE & CO., and
CROSS COUNTRY INSURANCE
COMPANY,
Defendants.**

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: **CIVIL ACTION**
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: **No. 13-6433**
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ORDER

AND NOW, this 28th day of March, 2018, upon consideration of the defendants, JP Morgan Chase Bank, N.A., Chase Bank USA, N.A., JP Morgan Chase & Co., and Cross Country Insurance Company's motion to dismiss the amended complaint (Doc. No. 52), the plaintiffs' response in opposition (Doc. No. 55), defendants' reply (Doc. No. 56), defendants' notice of supplemental authority (Doc. No. 61), and plaintiff's response to defendants' supplemental authority (Doc. No. 62), **IT IS HEREBY ORDERED** as follows:

- 1) Defendants' motion to dismiss Count Three of the Amended Complaint is granted with prejudice;
- 2) Defendant's motion to dismiss Count Four of the Amended Complaint is granted without prejudice; and

3) Plaintiff's motion for leave to file a sur reply (doc. No. 57) is denied as moot.

BY THE COURT:

/s/ Lawrence F. Stengel

LAWRENCE F. STENGEL, C.J.